

# Notice of Allowability

Application No.

09/910,187

Examiner

Brian D. Nguyen

Applicant(s)

CREAMER ET AL.

Art Unit

2616

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/11/06.
2. ☒ The allowed claim(s) is/are 1-3, 5-10, 12-15, 18-20, 16-17, 21-23, 25-30, 32-35, 38-40, 36-37, and 44 (renumbered 1-37, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 03212006.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
BRIAN NGUYEN  
PRIMARY EXAMINER

3/21/06

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Richard Hinson on 3/21/06.

3. The application has been amended as follows:

**Claim 1.** An instant message (IM) communication method comprising the steps of:  
inserting in an IM a voice communications identifier;  
embedding computer program code in said IM, wherein said computer program code is configured to establish a voice communications link with a sender of said IM;  
transmitting said IM to a recipient; ~~and,~~  
displaying a selectable icon associated with said voice communication identifier; and,  
responsive to said recipient selecting said voice communications identifier, establishing a voice communications link between said recipient and ~~[[a]]~~ said sender of said IM by executing said embedded computer program code.

**Claim 10.** An instant message (IM) communication method comprising the steps of:  
detecting a voice communications identifier in an IM transmitted by a sender;  
responsive to detecting said voice communications identifier, displaying a selectable icon associated with said voice communication identifier;

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responsive to a selection of said icon, extracting from said IM embedded computer program code configured to establish a voice communications link with said sender; and establishing a voice communications link with said sender by executing said embedded computer program code extracted from said IM.

**Claim 18.** The IM communications method of claim ~~10~~ 12, further comprising the steps of:

a recipient of the IM extracting from said IM embedded references to said sender and at least one other recipient of said IM; and,

displaying a corresponding selectable icon for each of said at least one other recipients.

**Claim 21.** A machine readable storage having stored thereon a computer program having a plurality of code sections executable by a machine for causing the machine to perform the steps of:

inserting in an instant message (IM) a voice communications identifier;

embedding computer program code in said IM, wherein said computer program code is configured to establish a voice communications link with a sender of said IM;

transmitting said IM to a recipient; ~~and~~;

displaying a selectable icon associated with said voice communications identifier; and,

responsive to said recipient selecting said voice communications identifier, establishing a voice communications link between said recipient and ~~[[a]]~~ said sender of said IM by executing said embedded computer program code.

**Claim 23.** The machine readable storage of claim 21, wherein said inserting step further comprises the step of:

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inserting in said IM a reference to [[a]] said sender of said IM.

**Claim 30.** A machine readable storage having stored thereon a computer program having a plurality of code sections executable by a machine for causing the machine to perform the steps of:

detecting a voice communications identifier in an instant message (IM) transmitted by a sender;

responsive to detecting said voice communications identifier, displaying a selectable icon associated with said voice communication identifier;

responsive to a selection of said icon, extracting from said IM embedded computer program code configured to establish a voice communications link with said sender; and

establishing a voice communications link with said sender by executing said embedded computer program code extracted from said IM.

**Claim 38.** The machine readable storage of claim ~~30~~ 32, further comprising the steps of:  
a recipient of the IM extracting from said IM embedded references to said sender and at least one other recipient of said IM; and,

displaying a corresponding selectable icon for each of said at least one other recipients.

**Claims 41-43.** (cancelled).

**Claim 44.** An instant message (IM)/Chat session client comprising:  
a conventional IM processor, said conventional IM processor extracting and displaying message text encapsulated in a received IM; and,  
a voice conversation processor, said voice conversation processor identifying a voice communications link identifier encapsulated in said received IM, displaying a selectable icon

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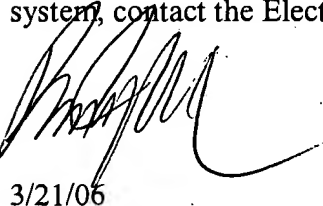
associated with said voice communications link identifier in response to detecting said voice communications link identifier and, responsive to a selection of said selectable icon, establishing a voice communications link with a sender of said received IM by executing computer program code embedded in said received IM, said computer program code being configured to establish the voice communications link.

### *Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



3/21/06

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**